

C 6315
1.992

Copy 3

SOUTH CAROLINA COASTAL COUNCIL



ANNUAL REPORT 1991-1992

S. C. STATE LIBRARY

JAN 13 1993

STATE DOCUMENTS

Printed Under The Direction Of The
State Budget And Control Board

October 15, 1992

The Honorable Carroll Campbell
Office of the Governor
State of South Carolina
Post Office Box 11450
Columbia, South Carolina 29211

Dear Governor Campbell:

By way of this letter and the enclosed report, the South Carolina Coastal Council respectfully submits to you our annual report for fiscal year 1991-92, which ended on June 30, 1992.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W. Jones, Jr.', with a stylized, cursive flourish at the end.

William W. Jones, Jr.
Chairman
South Carolina Coastal

TABLE OF CONTENTS

I. STATUTORY AUTHORITY	3
II. ONGOING PROGRAMS	4
III. SPECIAL PROGRAMS	5
IV. COUNCIL DIRECTORY	10
V. STAFF DIRECTORY	11
VI. ORGANIZATION TABLE	13
VII. BUDGET REPORT	14
VIII. PUBLICATIONS	15
APPENDIX A	16

ANNUAL REPORT

I. STATUTORY AUTHORITY

The South Carolina Coastal Council was created by Act 123 of the 1977 South Carolina Legislature. This Act is codified as Section 48-39-10 et. seq. of the 1976 South Carolina Code of Laws as amended. The Act created a governing body that is empowered to employ a professional staff and develop and implement a comprehensive coastal management program.

The regulatory authority of the Coastal Council is divided into two parts (permitting and certification) and is limited to eight coastal counties: Beaufort, Jasper, Colleton, Berkeley, Charleston, Dorchester, Horry and Georgetown. In these counties, jurisdictional boundaries are established for the "critical areas" - the beaches, tidelands, and coastal waters. These areas are under the agency's direct permitting authority.

Outside of the critical area (but still within the eight coastal counties) the Coastal Council's planning and certification division reviews and must certify all state and federal activities (this includes loans, grants, licenses and permit applications) to ensure consistency with South Carolina's coastal zone management program. The agency has a memoranda of understanding with several state agencies to coordinate their cooperation with the permitting and certification program. Federal activities are handled in accordance with federal regulations (14 CFR 930).

The Coastal Council began implementing its program on September 28, 1977. The comprehensive coastal management program created by the Council, with implementing procedural regulations, was approved by Governor Richard W. Riley following legislative adoption in February of 1979. In September of 1979, the program received formal federal approval from the U. S. Department of Commerce's Office of Oceans and Coastal Resources Management in ceremonies conducted in Beaufort's Waterfront Park. South Carolina's Coastal Zone Management Act was amended in 1988 and again in 1990. Both amendments strengthened the agency's beachfront policies.

The central component of the federal Coastal Zone Management Act is a set of policies used to guide all development activities in this country's coastal zone. In an effort to protect our coastal resources, these policies, or performance standards, outline the ways in which proposed activities may be sited, constructed, or developed.

Federally approved state programs implement these policies. Federal goals and objectives are met through each state's careful adherence to federal program policies.

South Carolina's coastal program receives over half of its annual operating budget from the federal government, namely the Office of Oceans and Coastal Resources Management. Since program approval, the State has received \$17,339,312 in matching grants.

II. ONGOING PROGRAMS

The Coastal Council continues to implement South Carolina's Coastal Zone Management Act, including the permitting and certification programs.

Permit applications may be obtained from the agency's Myrtle Beach, Charleston, or Beaufort offices. For activities outside of the critical area but still within the eight coastal counties, applicants apply to the proper permitting agency; that agency forwards necessary information to the Coastal Council.

Activities clearly addressed in the Act or by the elected Council are handled on a staff level. A situation is brought before the board if it is controversial, precedent setting, a Council member or government official requests it, or a Coastal Council sponsored public hearing was held regarding the matter.

The elected board was formerly comprised of eighteen members. The new State ethics legislation removed all legislators from regulatory boards. Consequently, this agency lost their two members from the House of Representatives and the two members from the Senate. The remaining fourteen members are comprised of eight members that represent the eight coastal counties and one member from each of the six congressional districts. The board is divided into three standing committees (permitting, management, and administration and finance) and meets once per month. Special committees are formed when needed.

The following is a summary of the agency's ongoing programs:

a. Permitting

The permitting section of the program reviews all proposed changes or alterations to the critical area. Many involve requests to alter salt marsh. This is usually the case with applications that deal with docks, boat ramps, marinas, bridges, public or private roads, port expansions, etc. Alterations in the beach critical area, from the construction of a house to landscaping to beach nourishment, must conform to the Beachfront Management Act of 1990. Statistics for this department's activities can be found in Appendix A.

b. Certification and Planning

All development activities in the coastal counties that require a state or federal permit and all direct federal activities must be certified by the Coastal Council. This generally includes all new subdivisions, industries and commercial development. To be certified, a project must be consistent with the policies and guidelines in the coastal zone management program document and the State Beachfront Management Plan. Coastal zone policies emphasize water quality protection through storm water and wetland management and protection of other coastal resources, such as sensitive habitat, endangered species, sites of national historic or archeological significance, and beach access. Statistics for this department can be found in Appendix A.

c. Enforcement

The enforcement program of the Council was strengthened in mid-1991 to

get more staff members involved and to make the process more efficient. The permitting and the enforcement staffs were merged and now each member performs the functions of both. A senior biologist is still responsible for overseeing the enforcement effort. Procedures for the enforcement of the certification program were also approved and incorporated into the enforcement program.

There were 140 enforcement reports logged and filed from July 1, 1991 to June 30, 1992. Of these, 106 have been resolved and the files closed; a few are under appeal. Approximately 30 more were handled in the field by Council staff and compliance accomplished without having to file a formal investigation report. During this period a large number of files that were initiated prior to July 1, 1991, were also resolved.

In about one half of the remaining cases a settlement was reached and the agency is waiting to receive payment of a fine and/or completed restoration. For others, settlements are being negotiated.

d. Appeals

The Coastal Council has a very "approachable" program in that an administrative appeals process is available for all permitting and enforcement actions. During this report period the agency's legal staff was involved in 148 appeals. Initial efforts were also needed in developing an appeals procedure for certification decisions. It will be presented as draft regulations to the General Assembly in the 1993 Session.

e. Newsletter and Public Meetings

The Council publishes a newsletter of Council activities on a bi-monthly schedule. Twelve thousand copies of "Carolina Currents" were distributed. A Coastal Council produced "Legislative Update" summarizes federal and state legislation and is produced when the State Legislature is in session. In addition, Council meetings are rotated among the eight coastal counties. Public attendance by interested citizens is encouraged at all meetings. When requested in writing by at least twenty citizens, public hearings are also held regarding individual permits.

Council staff members spoke to approximately 200 school, civic, and professional organizations throughout the state.

III. SPECIAL PROGRAMS

a. Implementing the Amended Coastal Zone Management Act

The Council is in its second year of implementing the 1990 Amendments to the State's Coastal Zone Management Act. The implementation of these amendments has involved many man hours. Policies and procedures have been established and procedures set which will guide the Council's actions for years to come.

In addition, the 1990 amendments changed the way structures (homes and erosion control devices) were treated by the law. The staff, working in conjunction with the Council, developed a number of interpretations and policy decisions on how to implement these changes and wrote permitting rules and regulations

which were adopted by the General Assembly.

b. Marina Committee

The Marina Committee continues its work of revising the marina and associated regulations. After much work, it is hoped that the regulations will be ready to go before the Legislature in the upcoming session.

c. Shorefront and Special Area Management Plans (SAMP)

The Beachfront Management Act of 1988 required all local beachfront communities (cities and counties) to develop and implement comprehensive local beachfront management plans. These plans will contain beach profile and erosion data, an inventory of all beachfront structures, public access points, a land use plan, an analysis of beach erosion control alternatives, a drainage plan, a post-disaster plan, and a detailed strategy for achieving the goals of the legislation.

1. Local Beachfront Management Plan

As of July 1, 1992, the following communities have approved beachfront management plans: Myrtle Beach, North Myrtle Beach, Surfside Beach, Edisto Beach, Hilton Head Island, Atlantic Beach, Folly Beach, and Kiawah Island.

2. State Beachfront Management Plan

The State Beachfront Management Plan was approved by the Coastal Council on July 16, 1992 for submittal to the General Assembly during the 1992-93 Session for approval as regulations.

3. Ashley River SAMP

In April, 1990, the Coastal Council received a request from the SC Department of Archives and History to develop a joint SAMP for the historical portion of the Ashley River in Charleston and Dorchester counties. For the past few years, Coastal Council permit applications for this section of the river have become more controversial because of possible impacts of increased river usage and development on adjacent historical properties. Plan development began in June and includes participation from a wide variety of local governments and special interest groups. The plan examines land use changes and the sensitivity of the historical properties to these changes. The plan was approved by the Council on February 14, 1992.

d. Charleston Harbor Estuarine SAMP

The South Carolina Coastal Council initiated the Charleston Harbor Project (CHP), in March 1991. The CHP is a special area management plan (SAMP) for the greater Charleston Harbor area. The objective of the CHP is to identify and implement growth management policies that will protect the natural resources of the area.

The greater Charleston area is rapidly growing. The population is projected to increase from 500,000 to over 800,000 in the next twenty years. Popu-

lation growth directly impacts the natural resources of the area by increasing pollutant loads such as sewage disposal, and stormwater runoff. In order to protect the water quality and other resources of the area this growth must be properly managed.

The first year of the CHP was devoted to organization of the many participants into a management hierarchy. The CHP also acquired informational baselines of current water quality and biological resources from pertinent state agencies. With this information the CHP developed specific goals and objectives for growth management.

The efforts of the second year of the CHP have been focused on land use, water quality, and biological resources. Dredge spoil deposition is a land use that can have serious economic and natural resource impacts. The maintenance of the navigation channels by the U.S. Army Corps of Engineers requires large areas for dredge spoil disposal for Charleston Harbor. The CHP and the S.C. Ports Authority are funding a study to locate acceptable sites for the Corps of Engineers' fifty year disposal needs. This study will be completed early in 1993.

Water quality management and its impacts on the biological resources of the harbor have also been a focus of the CHP in 1992. The CHP is funding in cooperation with the USGS, EPA, and local point source dischargers, the development of a new waste load allocation model for the Charleston Harbor. This new model will link the Ashley, Cooper, and Wando Rivers, and the lower Charleston Harbor. This model will greatly increase the state's ability to manage both point and nonpoint source inputs into the Harbor.

The CHP is also funding studies of the effectiveness of nonpoint source best management practices (BMP's), nonpoint source impacts on open shellfish grounds, and nonpoint source impacts on important estuarine fishery nursery habitats.

The information obtained through these studies of estuarine nutrient dynamics and the relationship between land use, surface water quality, and estuarine biological resources will enable the CHP to identify potential growth problems and to develop protective policies during the third and fourth years of the project.

e. Beach Monitoring Program

In order to obtain accurate measurements of the movement of our beaches, the agency maintains a state-wide beach monitoring program. Benchmarks (survey markers) are located every 1000 to 2000 feet along our shorefront and are surveyed twice per year. From this information, the stability of the beach is determined. The benchmarks and the information obtained from this program are an integral part of the new beachfront legislation and are used by surveyors and the staff to determine the Coastal Council jurisdictional boundaries.

f. Storm Water Runoff Management

The Coastal Council reviews drainage plans for most of the residential, commercial and industrial developments constructed within the coastal zone. The purpose of this review is to insure that stormwater runoff from these projects will not have a degrading impact on adjacent marsh areas or water bodies. Water

pollution control and prevention of sedimentation and erosion are the major points emphasized during this review.

During this period, the staff worked with the S.C. Land Resources Conservation Commission (SCLRCC) to merge the existing Council storm water management program with the newly adopted S.C. Storm Water Management and Sediment Reduction Act. The regulations for this Act require the Coastal Council to implement the program components in the eight coastal counties for the local governments which do not seek delegation of program components. These program elements include storm water and sediment management plan review and approval, construction and maintenance inspections, enforcement, and education/training. The existing SCCC Storm Water Management Guidelines are being revised to better reflect the requirements of the State regulations. This revision will include additional restrictions that may be necessary in the coastal zone to protect sensitive coastal resources.

The staff also began development of a workplan to address nonpoint source pollution for the section 6217 program. Section 6217 of the Federal Coastal Zone Management Act requires states with approved CZM plans to develop coastal nonpoint pollution control programs in order to insure protection and restoration of coastal waters. The Coastal Council is working closely with the Department of Health and Environmental Control in the development of this workplan which will be submitted to NOAA and EPA for approval.

g. Teacher and Student Enrichment Program

The Coastal Council, in cooperation with the Friends of the Coast and the University of South Carolina, sponsors a series of upper level college credit courses for secondary school teachers. These coastal geology courses are held on weekends at various spots along the coast. The purpose of this program is to improve the quantity and quality of coastal environment education in our secondary schools.

h. Creek and Beach Watch Program

The Council initiated a Creek and Beach Watch program in March of 1986. Individuals or groups observe the coastal resources in their area and report problems or possible violations of the Coastal Zone Management Act to the Council's permitting staff. This program is an aid to the Council's enforcement program and is an excellent educational tool. In July 1992 this program was established as a 24 hour toll-free hotline for citizens to report possible violations. The number is 1-800-768-1516.

i. National Estuarine Reserve Research System (NERRS)

The federal government's Marine and Estuarine Management Division has a program designed to protect pristine estuarine waters, marshes and shorelines for research and education. With help from the Coastal Council, two sites, the North Inlet/Winyah Bay site (the Baruch Institute property in Georgetown), and an area known as the ACE Basin site (Ashepoo, Combahee and Edisto Rivers) were under consideration.

The Belle W. Baruch Institute and the South Carolina Wildlife and Marine Resources Department are under contract to the Coastal Council to develop draft

management plans for the two sites. In the fall of 1992, both of these sites will become part of the National Estuarine Reserve Research System. Currently eighteen reserves in fifteen states and Puerto Rico have been designated.

j. National Coastal Geology Program

The U.S. Geological Survey has entered into a cooperative agreement with the Coastal Council to fund research activities through its National Coastal Geology Program. During the past year, the Coastal Council has contracted for an independent error analysis of our historical shoreline mapping program, an investigation of short-term variability in beach profiles, and an expansion of our beach monitoring program to include the offshore portion of the beach profiles.

South Carolina Coastal Council
1991/92

Senator Phil Leventis

Senator Herbert U. Fielding

Representative Lenoir Sturkie

Representative R. Linwood Altman

Mr. J. Lynn McCants, 1st Congressional District

Mr. J. McCauley Bennett, 2nd Congressional District

Mr. T. Edwin McAllister, 3rd Congressional District

Mr. Bradford W. Wyche, 4th Congressional District

Mr. James D. Leitner, Jr., **Vice-Chairman**, 5th Congressional District

Mr. Delton W. Powers, Jr., 6th Congressional District

Mr. William W. Jones, Jr., **Chairman**, Beaufort County

Mr. Acie C. Edwards, Berkeley County

Mr. Bruce A. Berlinsky, Charleston County

Mr. Keith Kinard, Colleton County

Mr. James O. Murray, Jr., Dorchester County

Mr. Robert Harper, Georgetown County

Mr. W. Sump Strickland, Horry County

Mr. Henry C. Lawton, Sr., Jasper County

Ashley Corporate Center
4130 Faber Place, Suite 300
Charleston, South Carolina 29405
Telephone: 744-5838
FAX: 744-5847

H. Wayne Beam
Executive Director

Christopher L. Brooks
Deputy Director

Steve Moore
Permit Administrator

H. Stephen Snyder
Director, Planning and
Certification

Donna M. Gress
Public Information Director II

Linda S. Brechko
Administrative Assistant III

Robert D. Mikell
Planner IV

Ann Townsend
Planner III

Joe Fersner
Environmental Engineer III

Neale E. Bird
Engineering Associate IV

Debra Hernandez
Environmental Engineer III

James H. (Fritz) Aichele, Jr.
Planner III

Bill Eiser
Engineering Associate III

Jeff Thompson
Engineering Associate II

Richard Chinnis
Permit Coordinator

Fred Mallett
Biologist II

Curtis Joyner
Planner II

John L. Hensel, Jr.
Fish/Wildlife Biologist IV

Steve Brooks
Biologist II

Barbara Neale
Planner III

C. C. Harness, III
Attorney VI

Mary Shahid
Attorney III

Janet Kruger
Paralegal Assistant I

Donna Bates
Business Associate II

Jackie Wall
Executive Support Specialist

Carmela Hicks
Executive Support Specialist

Marlene Montag
Executive Support Specialist

Joyce Lesemann
Administrative Specialist B

Jeanne Kelly
Administrative Specialist A

Joann Smith
Administrative Specialist A

Carrie Williams
Administrative Specialist A

Travis Keith
Support Specialist (Part Time)

Bubba Bath
Support Specialist (Part Time)

AT&T Capitol Center
1201 Main Street, Suite 1520
Columbia, South Carolina 29201
Telephone: 737-0880
FAX: 737-0881

H. Wayne Beam
Executive Director

Alarice Robinson
Director of Management Services

Connie Bell
Senior Accountant

Janice Lawson
Administrative Assistant II

Angela Simmons
Business Manager I

1601 North Oak Street, Suite 203
Myrtle Offices
Myrtle Beach, South Carolina 29577
Telephone: 626-7217
FAX: 626-2381

Mark Caldwell
Regional Permit Administrator

Tina Swiezy
Engineering Associate II

Mike Horton
Wildlife Biologist II

Barbara Stein
Executive Support Specialist

P. O. Box 587
1113 New Castle Street
Beaufort, South Carolina 29901
Telephone: 524-6885
FAX: 524-4839

Rocky Browder
Regional Permit Administrator

George Madlinger
Wildlife Biologist II

Linda Ingram
Executive Support Specialist

Mike Hudson
Wildlife Biologist II

Charleston Harbor Project

Ashley Corporate Center
4130 Faber Place, Suite 302
Charleston, South Carolina 29405
Telephone: 747-4323
FAX: 744-5847

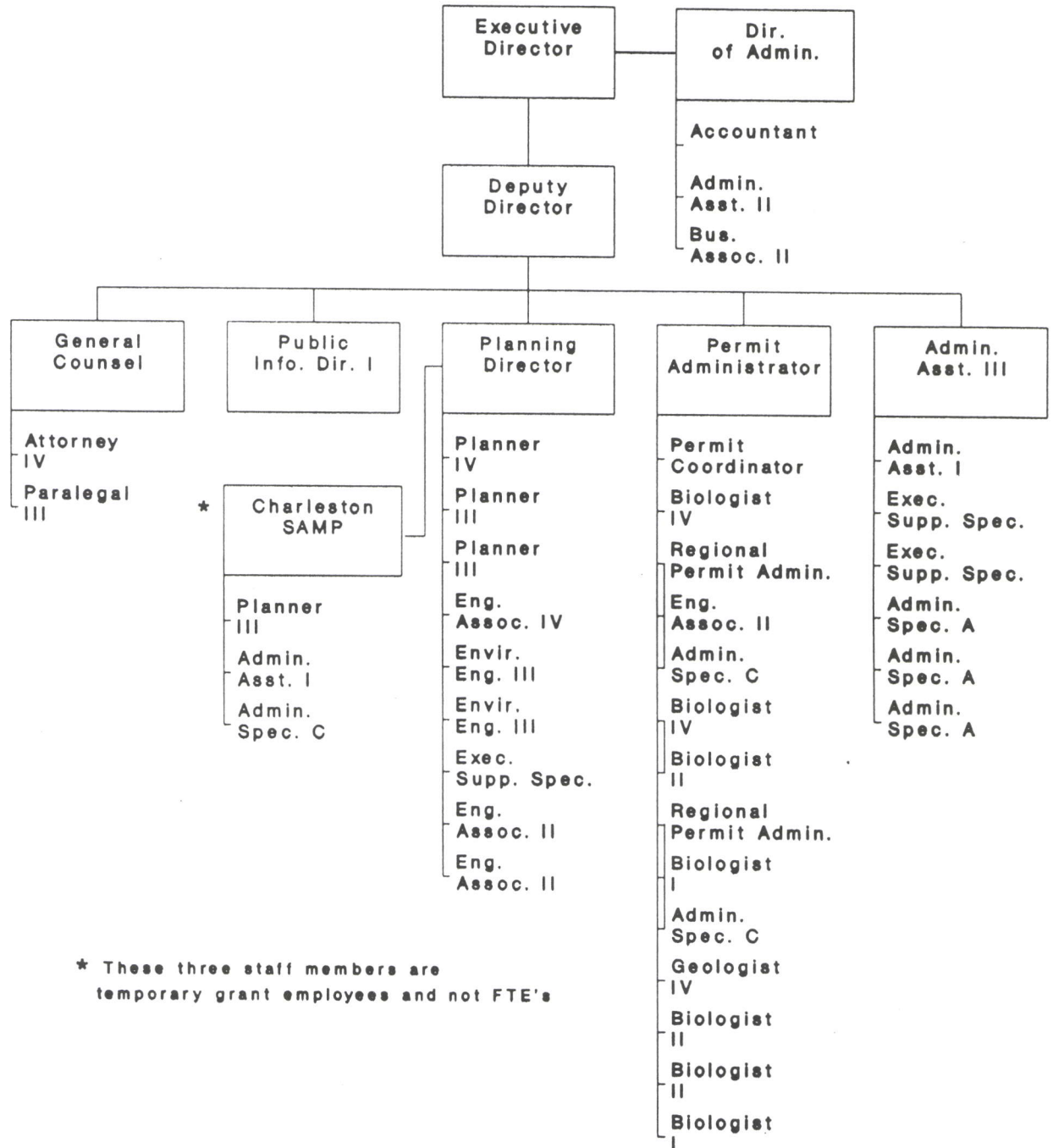
Heyward Robinson
Environmental Quality Manager IV

Shirley Conner
Planner III

Gail Phipps
Administrative Assistant I

Joyce Barnwell
Administrative Specialist C

South Carolina Coastal Council Organizational Chart



SOUTH CAROLINA COASTAL COUNCIL

Expenditures for Fiscal Year 1991 - 1992

	<u>State Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
Personal Services	614,922.84	853,834.22	1,468,757.06
Employer Contributions	133,563.80	185,957.41	319,521.21
Per Diem	<u>12,635.00</u>	<u>0.00</u>	<u>12,635.00</u>
Total Personal Services	761,121.64	1,039,791.63	1,800,913.27
Other Operating Expenses:			
Contractual Services	151,623.18	422,616.53	574,239.71
Supplies	66,124.66	85,940.37	152,065.03
Fixed Charges	184,830.26	138,589.17	323,419.43
Travel	104,438.39	11,468.62	115,907.01
Equipment	73,957.21	91,212.20	165,169.41
Light/Power/Heat	483.00	1,683.67	2,166.67
Transportation	967.00	3,771.05	4,738.05
Suggestion Award	<u>500.00</u>	<u>0.00</u>	<u>500.00</u>
Total Other Operating	582,923.70	755,281.61	1,338,205.31
Special Projects:			
USC - Beaufort	96,700.00	0.00	96,700.00
ACE Land Acquisition	<u>0.00</u>	<u>678,417.00</u>	<u>678,417.00</u>
Total Special Projects	96,700.00	678,417.00	775,117.00
TOTAL COASTAL COUNCIL	<u>1,440,745.34</u>	<u>2,473,490.24</u>	<u>3,914,235.58</u>

PUBLICATIONS LIST

1. Understanding Our Coastal Environment
2. The South Carolina Coastal Council
3. Coastal Access Guide
4. How to Build A Dune
5. Creek and Beach Watch
6. The Beachfront Management Act
7. coastal zone maps
8. Carolina Currents
9. Developer's Guide to Freshwater Wetlands
10. Rules and Regulations
11. Stormwater Management Guidelines
12. Guidelines of the South Carolina Coastal Management Program
13. South Carolina Coastal Management Program and Final Environmental Impact Statement
14. South Carolina State Beachfront Management Plan

Note: A master file for all Coastal Council produced or sponsored publications or studies is also available. In addition, the Council maintains a library in the Charleston office which contains hundreds of technical reports, books and periodicals.

APPENDIX A

PERMITS processed by the Coastal Council from July 1, 1991, to June 30, 1992.

Direct Permits

non beachfront critical area	
Permits issued	709
Denied	30
Withdrawn/cancelled	<u>39</u>
	778*

*Of this total 31 were appealed

Beachfront critical area

Post Hugo permits	0
General permits	58
special permits	22
Notifications	<u>16</u>
	96
Total Permitting Actions	874

CERTIFICATIONS of other state and federal permits by the Coastal Council from July 1, 1991 through June 30, 1992.**

Federal Permits 255

Certified	223
Denied	12
Active	6
Withdrawn/Inactive	14

State Permits 772

Certified	752
Denied	0
Active	2
Withdrawn/Inactive	18

**NOTE: Procedural changes with the South Carolina Department of Health and Environmental Control and the South Carolina Water Resources Commission reduced the number of state permits reviewed in detail by the Coastal Council. The total number of state permits reflects this reduction over the previous fiscal year.

Total Number of Documents Printed	<u>255</u>
Cost Per Unit	\$ <u>.93</u>
Printing Cost - S.C. State Budget & Control Board (up to 255 copies)	\$ <u>237.89</u>
Printing Cost - Individual Agency (requesting over 255 copies and/or halftones)	\$ <u></u>
Total Printing Cost	\$ <u>237.89</u>

